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15 **UNITED STATES DISTRICT COURT**

16 **DISTRICT OF NEVADA**

17

18 WENDY DAYLEY,

19 Plaintiff

20 v.

21 LVGV, LLC, a Nevada Limited-Liability  
22 Company d/b/a M Resort Spa and Casino; Does  
23 1-20, inclusive; and Roe Business Entities 1-10,  
inclusive,

24 Defendant

25

Case No.: 2:23-cv-00456-CDS-EJY

**Order Approving STIPULATION TO  
EXTEND BRIEFING SCHEDULE  
WITH RESPECT TO PLAINTIFF'S  
MOTION FOR PARTIAL SUMMARY  
JUDGMENT REGARDING THE  
DOCTRINE OF RES IPSA  
LOQUITUR [ECF No. 70] and  
DEFENDANT LVGV'S MOTION FOR  
SUMMARY JUDGMENT [ECF No. 71]**

[ECF No. 73]

26 Pursuant to Rule IA 6-1 of the Local Rules of Practice for the United States District  
27 Court, District of Nevada, Plaintiff, WENDY DAYLEY, and Defendant, LVGV, LLC, a  
28 Nevada Limited-Liability Company d/b/a M Resort Spa and Casino (hereinafter "LVGV"), by



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1 and through their attorneys of record, stipulate and agree to extend the briefing schedule with  
2 respect to Defendant LVGV's Motion for Summary Judgment [ECF No. #71], which was filed  
3 on May 19, 2025, and Plaintiff's Motion For Partial Summary Judgment Regarding the  
4 Application of the Doctrine of Res Ipsa Loquitur [ECF No. #70], which was filed on May 16,  
5 2025, as follows:

6       1. Plaintiff filed her Motion For Partial Summary Judgment Regarding the  
7 Application of the Doctrine of Res Ipsa Loquitur [ECF No. 70] (hereinafter "MPSJ") on Friday,  
8 May 16, 2025.

9       2. Defendant timely filed its Response to Plaintiff's MPSJ [ECF No. 72] on  
10 Monday, May 19, 2025.

11       3. The current deadline for Plaintiff's Reply in Support of Plaintiff's MPSJ is  
12 Monday, June 2, 2025 (14 days after service of Defendant's Response).

13       4. Defendant has agreed to provide Plaintiff with an extension until June 23, 2025,  
14 to file her Reply in Support of Plaintiff's MPSJ.

15       5. Defendant filed its Motion for Summary Judgment [ECF No. 71] (hereinafter  
16 "Defendant's MSJ") on Monday, May 19, 2025.

17       6. The current deadline for Plaintiff's Response is Monday, June 9, 2025 (21 days  
18 after service of Defendant's MSJ).

19       7. Defendant has agreed to provide Plaintiff with an extension until June 23, 2025,  
20 to file her Response to Defendant's MSJ.

21       8. Defendant's Reply in Support of Defendant's MSJ shall be due in the normal  
22 course, i.e. 14 days after service of Plaintiff's Response per LR 7-2(b).

23       9. The reason for this extension is due in part to Plaintiff's counsel attending a  
24 weeklong legal conference in Southern California, entitled "Trial Lawyer University," which  
25 occurs from Tuesday, June 3, 2025 to Sunday, June 8, 2025. Additionally, Plaintiff's counsel is  
26 currently working on various other dispositive motions and oppositions to dispositive motions,  
27 as well has numerous depositions in their other matters, which has further exacerbated the need  
28 for this extension. This extension will allow Plaintiff to more fully and properly prepare the



1 Opposition and Reply in Support so that this matter may be considered on the merits, which is  
 2 particularly important with regard to Motions for Summary Judgment.

3       10. The parties respectfully request that the hearings on both motions be scheduled  
 4 for the same day. These Motions touch upon the same subject matter and are both dispositive  
 5 motions, especially with regard to the doctrine of Res Ipsa Loquitur. As such, hearing these  
 6 motions together will promote judicial economy.

7       11. This is the parties' first request for an extension of the briefing with respect to  
 8 either Motion. The parties also affirm that this extension is not made with an improper purpose  
 9 but is made in good faith.

10  
 11 DATED THIS 29th of May, 2025.

12 **Cloward Trial Lawyers**

13 /s/ *Angela M. Lee*

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19 Las Vegas, Nevada 89129

20 *Attorneys for Plaintiff*

21 DATED THIS 29th of May, 2025

22 **Wilson Elser Moskowitz Edelman & Dicker LLP**

23 /s/ *Chris Richardson*

24 MICHAEL P. LOWRY, ESQ.

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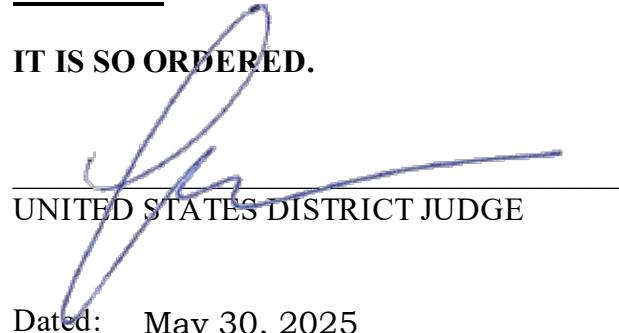
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29 Las Vegas, Nevada 89119

30 *Attorneys for Defendant, LVGV, LLC*

31 **O R D E R**

32 **IT IS SO ORDERED.**

33   
 UNITED STATES DISTRICT JUDGE

34 Dated: May 30, 2025



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